

A34586 (070050.1668)

PATENT

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Applicant : Fisher *et al.*  
Serial No. : 09/648,310 Examiner: Yu, M.  
Filed : August 25, 2000 Group Art Unit: 1642  
For : PROGRESSION SUPPRESSED GENE 13 (PSGen13) AND USES THEREOF

INFORMATION DISCLOSURE STATEMENT

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08/04/2003 JBALINAN 00000024 09648310

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Dear Sir:

Pursuant to the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants respectfully request that the publications relating to the above-mentioned application listed herein and on the accompanying PTO Form 1449 be considered by the Examiner and made of record in the U.S.

Patent and Trademark Office.

08/04/2003 JBALINAN 00000024 09648310

01 FC:2253

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1. International Patent Application No. PCT/US01/23099 by The Trustees of Columbia University entitled "Nucleic acids comprising regions of the rat PEG-3 promoter and uses thereof," published as WO 02/08242 on 31 January 2002.
2. International Patent Application No. PCT/US00/34564 by The Trustees of Columbia University entitled "Progression elevated gene-3 (PEG-3) induces aggressive cancer phenotype and regulates angiogenesis," published as WO 01/46386 on 28 June 2001.
3. United States Patent Publication 2001/0014734 by Fisher published August 16, 2001 and entitled "Progression elevated gene-3 and uses thereof."
4. United States Patent No. 6,146,877 by Fisher issued November 14, 2000 and entitled "Identification of the progression elevated gene-3 and uses thereof."
5. Gopalkrishnan RV, Christiansen KA, Goldstein NI, DePinho RA, Fisher PB (1999). Use of the human EF-1alpha promoter for expression can significantly increase success in establishing stable cell lines with consistent expression: a study using the tetracycline-inducible system in human cancer cells. *Nucleic Acids Res* 27:4775-4782.
6. International Patent Application No. PCT/US99/07199 by The Trustees of Columbia University entitled "Progression elevated gene-3 and uses thereof," published as WO 99/49898 on 7 October 1999.
7. International Patent Application No. PCT/US99/04323 by The Trustees of Columbia University entitled "Reciprocal subtraction differential display," published as WO 99/43844 on 2 September 1999.

8. Su ZZ, Goldstein NI, Jiang H, Wang MN, Duigou GJ, Young CS, Fisher PB (1999). PEG-3, a nontransforming cancer progression gene, is a positive regulator of cancer aggressiveness and angiogenesis. *Proc Natl Acad Sci USA* 96:15115-15120.
9. United States Patent No. 5,882,874 by Fisher issued March 16, 1999 and entitled "Reciprocal subtraction differential display."
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11. Fisher PB (1998). PSGen13. dbEST ID No. 1903240. GenBank Accession No. AI144570. November 23, 1998.
12. International Patent Application No. PCT/US98/05793 by The Trustees of Columbia University entitled "Identification of the progression elevated gene-3 and uses thereof," published as WO 98/42315 on 1 October 1998.
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19. United States Patent No. 5,399,346 (Anderson *et al.*), issued March 21, 1995, entitled "Gene Therapy."
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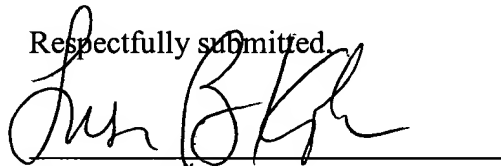
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The submission of this Information Disclosure Statement does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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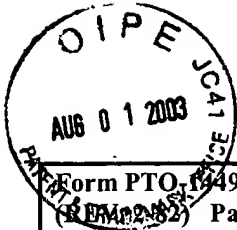
Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Lisa B. Kole', written over a horizontal line.

Lisa B. Kole  
Patent Office Reg. No. 35,225

Attorney for Applicants  
(212) 408-2628

Enclosures



<b>Form PTO-1449 U.S. Department of Commerce</b> <b>(MPEP 2002) Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>  (Use several sheets if necessary)	Atty. Docket No. A34586 - 070050.1668	Serial No. 09/648,310
	Applicant Fisher <i>et al.</i>	
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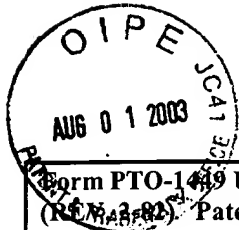
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	5.	Gopalkrishnan RV, Christiansen KA, Goldstein NI, DePinho RA, Fisher PB (1999). Use of the human EF-1alpha promoter for expression can significantly increase success in establishing stable cell lines with consistent expression: a study using the tetracycline-inducible system in human cancer cells. <i>Nucleic Acids Res</i> <u>27</u> :4775-4782.
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\* Examiner: Initial citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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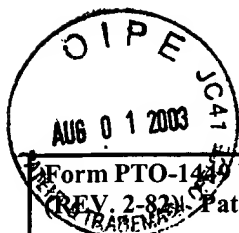
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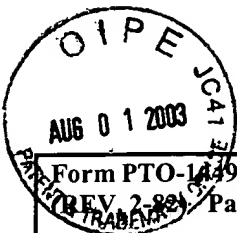
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<b>Form PTO-1539 U.S. Department of Commerce Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use several sheets if necessary)	Atty. Docket No. A34586 - 070050.1668	Serial No. 09/648,310
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	Filing Date August 25, 2000	Group 1642
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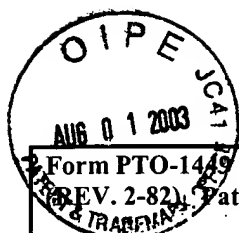
*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
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Form PTO-1449 U.S. Department of Commerce Patent and Trademark Office		Atty. Docket No. A34586 - 070050.1668	Serial No. 09/648,310
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> (Use several sheets if necessary)		Applicant Fisher <i>et al.</i>	
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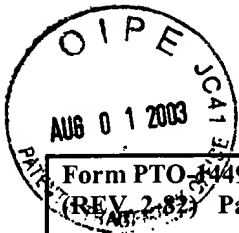
*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
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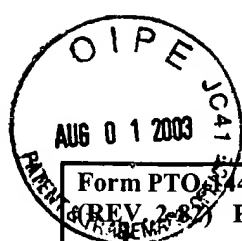
<b>Form PTO-449 U.S. Department of Commerce</b> <b>(REV. 2-82) Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>  (Use several sheets if necessary)	Atty. Docket No. A34586 - 070050.1668	Serial No. 09/648,310
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*Exam. Init.	No.	OTHER DOCUMENTS (including Author, Title, Date, Pertinent Pages, Etc.)
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<b>Form PTO-3449 U.S. Department of Commerce</b> <b>(REV. 2-8-97) Patent and Trademark Office</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>  (Use several sheets if necessary)	Atty. Docket No. A34586 - 070050.1668	Serial No. 09/648,310
	Applicant Fisher <i>et al.</i>	
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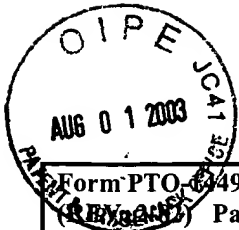
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